

An Instance of Queen Elizabeth's Power of Dispensing
with Acts of Parliament: Offer'd to the Consideration
of the Gentlemen of the University of Cambridge.

Together with some Queries thereupon.

Queen Elizabeth by Letters Patents dated 6^o Aprilis, 2^o of Her Reign, reciting an Act of Parliament of the First of Her said Reign, and that the Common-Prayer was thereby Enacted to be used, *Lingua vulgari, & vernacula passim in Ecclesiâ Anglicanâ*, In the Vulgar and Mother-tongue throughout the Church of England, declares it to be lawful and permitted, by Her Authority and Prerogative Royal, as well to the Dean and Society of Christ-Church in Her University of Oxford, as to the Presidents, Wardens, Rectors, Masters, and Societies of All and Every one of the Colleges of Cambridge, Oxford, Winchester, and Eaton, [*Licetum esse & permissum, nostrâ Autoritate & Privilegio Regali, tam Decano & Sodalitio Ecclesiæ Christi in Academiâ nostrâ Oxoniæ, quàm Præsilibus, Custodibus, Rectoribus, Magistris, & Sodalitatibus, omnium & singulorum Collegiorum Cantabrigiæ, Oxoniæ, Wintoniæ, & Etoniæ*] to use publicly in their Churches and Chappels that Form of Prayer in Latin, appointed to be printed by Her Printer, and agreeing with the English Book of Common Prayers then used all over the Kingdom, with the Form of Burial of the Dead; the aforesaid Statute concerning the manner of publick Prayers (whereof She had made mention) published in the First Year of Her Reign, to the contrary notwithstanding. [*Statuto illo prædicto, de ritu Publicarum Precum (cujus suprâ mentionem fecimus) anno primo Regni nostri promulgato, in contrarium non obstante.*]

Q U E R I E S.

I. **V**Whether the King's Prerogative be not a part (and the most principal one) of the Laws of the Kingdom?

II. Whether those who are bound by Oath to observe the Laws of the Kingdom, are not consequently bound by the same Oath (as well as by that of Allegiance) to observe the Royal Prerogative, by obeying whatever is commanded in vertue of it?

III. Consequently, Whether a Law dispensed with by the King, can be of any force to oblige the Conscience of one who hath sworn to observe the Laws of the Kingdom, so far as to justify his Disobedience to any Command of His Majesty, only for its being contrary to that Law which is so dispensed with?

IV. Whether if Queen Elizabeth had Power to dispense with Acts of Parliament, for the permitting the Colleges to use a Latin Common-Prayer Book, His present Majesty hath not likewise a Power to dispense with Acts requiring such Persons as are made *Masters of Arts* to take the Oaths of Allegiance and Supremacy?

V. Whether His Majesty have not reason to take it ill, that the Gentlemen of the University question His Power of Dispensing in so trivial a Matter as the making a Master of Arts, when they neither questioned heretofore, nor do yet question a like Prerogative in Queen Elizabeth, and this in favour of so Popish a thing as *Praying in Latin*?

VI. Whether the University of Cambridge disowning the inalienable Prerogative of Dispensation in the King, and yet *Praying in Latin* by vertue of Queen Elizabeth's Letters Patents, contrary to an express Act of Parliament, and having, even without any Letters Patents, made several *Masters of Art* without this Ceremony of Swearing, do not challenge to themselves that Prerogative of Dispensation which they will not allow to the King?